

Docket No.: 217643US6PCT/jkl

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Joseph F. TARICANI

SERIAL NUMBER: 10/030,139

GROUP: 3688

FILED: August 22, 2002

EXAMINER: ALVAREZ, RAQUEL

FOR: COMPUTER-BASED SYSTEM FOR SIMPLIFICATION OF TAX COLLECTIONS
AND REMITTANCES FOR INTERNET AND MAIL ORDER COMMERCE

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Applicant acknowledges with appreciation the indication of Allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of September 10, 2008, Applicant respectfully submits the following comments.

In the Examiner's Statement of Reasons for Allowance on pages 5 and 6 of the Notice of Allowance mailed September 10, 2008, paragraph 3 states in part:

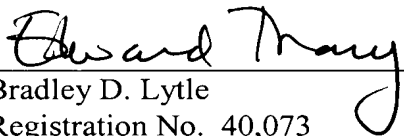
The references alone or in combination failed to teach “**sending sales information message regarding a taxable event from a remote seller to a central facility, said sales information message identifying a tax jurisdiction of a participant in said taxable event, said remote seller not having a nexus in said tax jurisdiction; providing the tax rate information from the central facility to the remote seller for the tax jurisdiction of the participant and collecting a tax payment.**” This patentable distinction is included in independent claims 1, 19, 22, 24, 25 and 35.

Although the above comment may be accurate with respect to Claims 1, 22 and 35, it is respectfully noted that independent Claims 19, 24 and 25 do not include all of the elements recited above. For example, Claims 19 and 24 recite “receiving by said remote seller location information from a purchaser in a remote sales transaction” and Claim 25 recites exchanging “digital messages over the communication channel with the remote seller regarding a remote

sales transaction made between the remote seller and a purchaser” and not “sending sales information message regarding a taxable event from a remote seller to a central facility.” Accordingly, it is respectfully submitted that the above quoted statement applies only to independent Claims 1, 22 and 35 (and claims dependent therefrom), and not to independent Claims 19, 24 and 25 (and claims dependent therefrom).

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Bradley D. Lytle
Registration No. 40,073

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/04)

Edward W. Tracy
Registration No. 47,998